

FILED

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF COCHISE

2019 MAY -9 PM 1:37

STATE OF ARIZONA,

Plaintiff,

vs.

STACEY HOWER,

Defendant.

GRAND JURY NO. 19-

CASE NO. CR201800277

0168
AMY J HUNLEY
CLERK OF SUPERIOR COURT
BY *[Signature]*
DEPUTY

**SUPERSEDING
INDICTMENT**

The Grand Jurors of the County of Cochise, in the name of the State of Arizona,

and by its authority accuse:

STACEY HOWER

and charge that in Cochise County:

COUNT 1

On or about April 17, 2017, **STACEY HOWER**, with intent to defraud, offered or presented, whether accepted or not, a forged instrument or one that contained false information, TO WIT: Mesquite Valley Grower's invoice, all in violation of A.R.S. §§ 13-2002, 13-2001, 13-105, 13-701, 13-702, and 13-801, a class 4 felony.

COUNT 2

On or about April 17, 2017, **STACEY HOWER**, with intent that it be used, introduced, rejected or unavailable in an official proceeding which is then pending, knowingly made, produced or offered false physical evidence, TO WIT: Mesquite Valley Grower's invoice produced in connection with CR2017-0160 in Justice of the Peace Precinct #3, all in violation of A.R.S. §§ 13-2809, 13-2801, 13-105, 13-701, 13-702, and 13-801, a class 6 felony.

COUNT 3

On or about June 7, 2017, **STACEY HOWER**, pursuant to a scheme or artifice to defraud, knowingly attempted to obtained a benefit by means of false or fraudulent pretenses, representations, promises or material omissions, to wit: Mesquite Valley Grower's invoice produced in connection with CR2017-0160 in Justice of the Peace Precinct #3, in violation of A.R.S. §§13-2310.A, 13-1001, 13-105, 13-701, 13-702, and 13-801, a class 3 felony.

1 **COUNT 4**

2 On or about June 7, 2017, **STACEY HOWER** committed taking the identity of another
3 person or entity by knowingly taking, purchasing, manufacturing, recording, possessing or using
4 any personal identifying information of another person or entity, without the consent of that
5 person or entity, with the intent to obtain or use the other person's or entity's identity for any
6 unlawful purpose whether or not the person or entity actually suffers any economic loss, to wit:
Mesquite Valley Grower's invoice produced in connection with CR2017-0160 in Justice of the
Peace Precinct #3, in violation of A.R.S. §§13-2008, 13-2001, 13-105, 13-701, 13-702, and 13-
801, a class 4 felony.

7 **COUNT 5**

8 On or about June 7, 2017, **STACEY HOWER**, with intent to defraud, offered or
9 presented, whether accepted or not, a forged instrument or one that contained false information,
10 TO WIT: Home Depot receipt, all in violation of A.R.S. §§ 13-2002, 13-2001, 13-105, 13-701,
13-702, and 13-801, a class 4 felony.

11 **COUNT 6**

12 On or about June 7, 2017, **STACEY HOWER**, with intent that it be used, introduced,
13 rejected or unavailable in an official proceeding which is then pending, knowingly made,
14 produced or offered false physical evidence, TO WIT: Home Depot receipt produced in
connection with CR2017-0160 in Justice of the Peace Precinct #3, all in violation of A.R.S. §§
13-2809, 13-2801, 13-105, 13-701, 13-702, and 13-801, a class 6 felony.

15 **COUNT 7**

16 On or about June 7, 2017, **STACEY HOWER**, pursuant to a scheme or artifice to
17 defraud, knowingly attempted to obtained a benefit by means of false or fraudulent pretenses,
18 representations, promises or material omissions, to wit: Home Depot receipt produced in
19 connection with CR2017-0160 in Justice of the Peace Precinct #3, in violation of A.R.S. §§13-
2310.A, 13-1001, 13-105, 13-701, 13-702, and 13-801, a class 3 felony.

20 **COUNT 8**

21 On or about June 7, 2017, **STACEY HOWER** committed taking the identity of another
22 person or entity by knowingly taking, purchasing, manufacturing, recording, possessing or using
23 any personal identifying information of another person or entity, without the consent of that
24 person or entity, with the intent to obtain or use the other person's or entity's identity for any
25 unlawful purpose whether or not the person or entity actually suffers any economic loss, to wit:
Home Depot receipt produced in connection with CR2017-0160 in Justice of the Peace Precinct
#3, in violation of A.R.S. §§13-2008, 13-2001, 13-105, 13-701, 13-702, and 13-801, a class 4
felony.

COUNT 9

On or about April 3, 2017, **STACEY HOWER**, without lawful authority, knowingly controlled property of another having a value of less than one thousand dollars, TO WIT: Cactus belonging to S.G., with the intent to deprive S.G. of such property, all in violation of A.R.S. §§ 13-1802(A)(1), 13-1801, 13-105, 13-707, and 13-802, a class 1 misdemeanor.

DATED this 9th day of May, 2019.

COCHISE COUNTY ATTORNEY

True Bill

BY:

Jason A. Lindstrom
Jason A. Lindstrom
Deputy County Attorney

Kenneth B. [Signature]
Foreperson of the Grand Jury

/lm